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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

July 1, 2014

Patrick Collins, Resident Agent
Mt. Nebo Scientific
P.O. Box 337
Springville, Utah 84663

Subject: 2013 Annual Report Review Completion, Wellington Prep Plant, C/007/0012, Task ID #4523

Dear Mr. Collins:

The Division staff has completed the review of the 2013 Annual Report. Enclosed is a copy of the review with each reviewer's comments completed on July 1, 2014.

Thank you for your diligence in completing the Annual Report. If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/sqs
Enclosure
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Annual Report

This Annual Report shows information the Division has for your mine. Submit the completed document and any additional information identified in the Appendices to the Division by the date specified in the cover letter. During a complete inspection an inspector will check and verify the information.

GENERAL INFORMATION

Company Name

Mine Name

Permit Number

Permit expiration Date

Operator Name

Phone Number

Mailing Address

Email

City State Zip Code

DOGM File Location or Annual Report Location

Excess Spoil Piles

☐ Required☒ Not Required

Refuse Piles

☒ Required☐ Not Required

Impoundments

☒ Required☐ Not RequiredOther:

OPERATOR COMMENTS

RESIDENT AGENT CONTACT INFORMATION:

Patrick D. Collins, Ph.D.

P.O. Box 337

Springville, UT 84663

(801)489-6937

NEW OPERATIONS AT WELLINGTON - Operations at the site have changed in one area of the permit to transloading oil products. These operations were described in an amendment to the MRP dated November 25, 2013. A revised amendment was provided to DOGM on December 3, 2013. Final DOGM approval of the amendment was dated December 10, 2013.

REVIEWER COMMENTS



Met Requirements



Did Not meet Requirements

The permittee submitted all quarterly refuse pile inspections for 2013. No hazardous conditions reported. All reports are P.E. certified.

The permittee only submitted the annual sediment pond certification in the annual report. This was taken in the third quarter of 2013. The permittee could have submitted the other inspections as required quarterly to the Division.

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COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the Mining and Reclamation Plan and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If additional written response is required, it should be filed as an attachment to this report.

Title: RIPARIAN AREA ENHANCEMENT

Objective: To enhance wildlife habitat in the riparian area within the permit area. Salt Cedars will be removed by cutting and herbicide application. Cottonwoods and willow cuttings (collected from upstream borrow area) will be planted in addition to the seedmix.

Frequency: N/A

Status: At Reclamation

Reports: Annual- Summary of Reclamation work and include vegetation monitoring reports (if any).

Citation: Volume I-A, Chapter 3, Section 3.42, pg. 2-3.

Operator Comments

The following comments regarding the RIPARIAN ENHANCEMENT plan at the Wellington Prep Plant were provided by DOGM in the 2012 Midterm Review. Also shown below are the responses by the Permittee that addressed DOGMs comments. The responses were approved by DOGM. Final "clean" copies of the approved Midterm Review Responses were provided and dated to DOGM on March 21, 2013.

DOGMs Comments (Midterm Review 2012):

"No deficiencies were issued by Ingrid Campbell; however, the Division would like to remind the Permittee that they have committed to remove Class C noxious weed, tamarisk, in riparian areas and replanting with willow and cottonwood cuttings to enhance wildlife habitat (Mining and Reclamation Plan Volume I-A, Section 3.42)."

NEICO Comments (Midterm Review Responses, March 21, 2012):

*Section 3.42 (page2) does address tamarisk, but it does not refer to the entire reach of the Price River where this species is the dominant woody plant. The MRP states the following:

The only critical wildlife habitat in the permit area is the riparian area along the Price River. There has been very little disturbance created by the operations at Wellington along the Price River, "but there is one small area that has been disturbed and will receive a concentrated effort for wildlife enhancement at the time of final reclamation" (quotes added for emphasis). This area is located near the pumphouse along the Price River and Adjacent to the Farnum county road.

"The area is less than one acre" (quotes added for emphasis), but with a concentrated effort at the time of final reclamation, valuable wildlife habitat could be created. The first step in the effort would be to remove all tamarisk plants in the area, especially along the Price River.

*Also as described in Section 5.40 (page 8) with reference specifically to reclamation in the pumphouse area, the MRP states the following:

The riparian vegetation near the Price River where the reclamation activities will occur is dominated two by non-native plant species: tamarisk (*Tamarix chinensis*) and common reed (*Phragmites communis*). Little or no work is expected to be necessary in the riparian vegetation immediately adjacent to the Price River, but some tamarisk plants in the area may need to be removed.

*Tamarisk is classified as a Class C noxious weed in the state of Utah which means the goal is "containment" of this species. It is declared as a noxious weed, not native to the state of Utah that is widely spread but poses a threat to the agricultural industry and agricultural products with a focus on stopping expansion.

*Even though it recognized as a worthwhile goal, due to the magnitude and complexity of such a project it is not the intention of NEICO's to attempt and eradicate this plant from their property entirely.

Reviewer Comments ☒ Met Requirements ☐ Did Not Meet Requirements

DOGM staff should schedule a site visit to these riparian areas

A new Price River Watershed plan is being developed in 2014 that may provide an opportunity for cooperation between several agencies/entities to remove tamarisk from the Price River Terminal property. This opportunity should be explored by the Division and the Permittee. (PWB, 6/30/2014).



REPORTING OF OTHER TECHNICAL DATA

Please list other technical data or information that was not included in the form above, but is required under the approved plan, which must be periodically submitted to the Division.

Please list attachments:

- 1) Quarterly water monitoring is required at the site. Results from the laboratory analyses for this monitoring have been submitted to the DOGMs EDI system on a quarterly basis. The hard copies of the lab work is also shown to DOGMs inspector during the quarterly completed inspections.
- 2) Certified Quarterly Refuse Pile inspection reports have been submitted in this document.
- 3) Certified Annual Pond Inspection reports have also been submitted herein.

Reviewer Comments

MAPS

Copies of mine maps, current and up-to-date, are to be provided to the Division as an attachment to this report in accordance with the requirements of R645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential.

Map Name	Map Number	Included		Confidential	
		Yes	No	Yes	No
The Wellington MRP at the DOGM is current		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reviewer Comments ☐ Met Requirements ☐ Did Not Meet Requirements

NA